

EXHIBIT 66

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

WILLIAM J. GOINES (SBN 061290)
 ALISHA M. LOUIE (SBN 240863)
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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN OTSUKA, an individual; JANIS KEEFE,
 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF DESIREE MYERS
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, DESIREE MYERS, declare:

2 1. I am presently a part-time cashier lead at the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Cabazon store in October 2004 as a sales associate in the
6 Womans Department. I currently work 3 days a week and I am paid at an hourly rate of pay.

7 **Bag Inspection**

8 3. Each day after clocking out and prior to exiting the store, I must go through a bag
9 inspection process which is performed by either a manager or supervisor. Since starting with Polo in
10 2004, it has taken 5 minutes or less to leave to store after I clock out and have my bag inspected.

11 4. I have not had any problems with locating a manager to perform a bag inspection and
12 have no complaints about the process. After I clock out there is usually a manager waiting at the front
13 door to perform the bag inspection.

14 **Clocking Out**

15 5. I have never experienced any problems with clocking out at the end of my shift. My
16 paycheck accurately reflects the number of hours that I have worked; I check it for accuracy.

17 6. I have never seen my hours recorded inaccurately by Polo in the 3 ½ years I've been
18 here, and I've never had to ask for an adjustment of my time.

19 **Rest Breaks**

20 7. Since 2004 I have always taken my rest breaks, and as far as I can remember I have
21 never missed one. As long as I've worked here I've observed other Polo employees also taking their
22 rest breaks. It surprises me to hear that someone who worked here during the same period as I have
23 would say that they had not taken their rest break.

24 8. The rest break schedule is written on the Daily Planning Agenda. I generally know
25 when my rest break is, and I will ask a manager to leave for my rest break at that time.

26 **Meal Breaks**

27 9. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
28 timing is written down on the Daily Planning Agenda.

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1 10. Since 2004 I have never missed a meal break. As long as I've worked here I've
2 observed other Polo employees taking their meal breaks. It surprises me to hear that someone who
3 worked here during the same period as I have would say that they had not taken their meal break.

4 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
5 California, this 13 day of June, 2008.


6
7 
8 Desiree Myers

EXHIBIT 67

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

WILLIAM J. GOINES (SBN 061290)
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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

ANN OTSUKA, an individual; JANIS KEEFE,
 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF BERTHA RAMOS
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, BERTHA RAMOS, declare:

2 1. I am presently a full-time sales associate in the women's department at the Polo Ralph
3 Lauren Factory Outlet store located in Camarillo, California ("Camarillo store"). I have personal
4 knowledge of the facts set forth in this declaration, and if called as a witness, could and would
5 competently testify as set forth below.

6 2. I began my employment in the Camarillo store in October 2007. I work approximately
7 30 hours a week over the course of 5 days. I am compensated at an hourly rate.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. It takes me about 5
11 minutes to leave the store after I clock out and have my bag inspected. There are times when this
12 process may take longer but it is no more than 10 minutes.

13 **Rest Breaks**

14 4. Based on my shift schedule, Polo provides me with two 15 minute rest breaks.

15 5. I take my rest break most of the time.

16 6. I understand that Polo allows me to take 2 breaks a day.

17 **Meal Breaks**

18 7. A manager tells me when to take a meal break. The times for rest and meal breaks are
19 posted on the Daily Planning Agenda, so I know when I'm supposed to take my breaks.

20 8. I always take my meal breaks.

21 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
22 Diego, California, this 18 day of June, 2008.

23
24 
25 Bertha Ramos

EXHIBIT 68

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 13 America, Inc.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 19 situated,

20 Plaintiffs,

v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF ABDEL-RAHIM
 SHALABI IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th FL.
 JUDGE: The Hon. Susan Illston

1 I, ABDEL-RAHIM declare:

2 1. I am presently a part-time employee in the Polo Ralph Lauren Factory Outlet store,
3 located in Carlsbad, California ("Carlsbad store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I began my employment in the Carlsbad store as a cashier in November 2007. I
6 subsequently changed to the position of sales associate.

7 3. I work approximately 15-20 hours a week. I am paid at an hourly rate of pay.

8 **Bag Inspection**

9 4. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. From the time that I have
11 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
12 this process takes 30 seconds to one minute. I have never experienced a wait time of 10-15 minutes.

13 5. The process for bag inspection is slightly different for the closing shift. I always look
14 at my watch to remind myself of the time that I am clocking-out. After I clock-out, I ordinarily exit
15 the store with the managers and other employees who are working the closing shift. From the time
16 that I have clocked out until the time I have exited the store, following a bag inspection, I would
17 estimate that this process takes no more than two minutes.

18 **Rest Breaks**

19 6. Based on my shift schedule, I typically take one fifteen minute rest break each day I
20 work.

21 7. Rest breaks are usually scheduled approximately 2-3 hours into my shift.

22 8. I am usually advised to take my break by a manager or another sales associate who is
23 relieving me of my area so that I can take my break.

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1 9. I have always been able to take a fifteen minute rest break.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed at Carlsbad
3 California, this 17 day of June, 2008.

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6 Abdel-Rahim Shalabi
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EXHIBIT 69

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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 2 ALISHA M. LOUIE (SBN 240863)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.
 13

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

16
 17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 19 situated,

20 Plaintiffs,

v.

21 POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

22 Defendants.
 23

Case No. C07-02780 SI

**DECLARATION OF SUSANNE
 KURHAJEC IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, SUSAN KURHAJEC declare:

2 1. I am presently a full-time sales associate in the Polo Ralph Lauren Factory Outlet
3 store, located in Carlsbad, California ("Carlsbad store"). I have personal knowledge of the facts set
4 forth in this declaration, and if called as a witness, could and would competently testify as set forth
5 below.

6 2. I began my employment in the Carlsbad store in October 1999.

7 3. I work approximately 29 - 40 hours a week and am paid at an hourly rate of pay. I
8 generally work five days a week. My shift schedule varies but typically I will work the closing shift
9 two times a week.

10 **Bag Inspection**

11 4. Each day after clocking out and prior to exiting the store, I must go through a bag
12 inspection process which is performed by either a manager or supervisor. From the time that I have
13 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
14 this process takes no more than five minutes.

15 5. I have never experienced any problems with locating a manager to perform a bag
16 inspection and have no complaints about the process.

17 **Clocking Out**

18 6. I have never experienced any problems with clocking-out at the end of my shift.
19 Managers typically work in the store until 11:00 and employees generally leave at 10:00 at the end of
20 their scheduled shifts.

21 7. The only time a manager has ever clocked me out is when the time-clocking system is
22 down.

23 **Rest Breaks**

24 8. Based on my shift schedule, I typically take two 15 minute rest breaks each day I
25 work.

26 9. A manager, typically the Customer Service Manager ("CSM") informs me when it is
27 by time to take a break.

28 10. I always take both of my 15 minute breaks.

1 11. As long as I can recall, the process for organizing breaks has been the same since I
2 began employment in the Carlsbad store in 1999.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed at Carlsbad
4 California, this 17th day of June, 2008.

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6 Susanne M. Kurhajec
7 Susanne Kurhajec
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EXHIBIT 70

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 13 America, Inc.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 19 situated,

20 Plaintiffs,

v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF SERGIO SILVA-
 CANSECO IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1
 DECLARATION IN SUPPORT OF OPPOSITION TO MOTION FOR CLASS CERTIFICATION

1 I, SERGIO SILVA-CANSECO declare:

2 1. I am presently a part-time employee in the Polo Ralph Lauren Factory Outlet store,
3 located in Carlsbad, California ("Carlsbad store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I began my employment in the Carlsbad store as a stock associate in July 2007.

6 3. I work approximately 20 hours a week over 4 days. I am paid at an hourly rate of pay.

7 **Bag Inspection**

8 4. Each day after clocking out and prior to exiting the store, I must go through a bag
9 inspection procedure which is performed by either a manager or supervisor. From the time that I have
10 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
11 this process takes 1 minute.

12 5. At the closing shift, the bag inspection procedure might take a bit longer but never
13 more than 5 minutes.

14 **Rest Breaks**

15 6. Based on my shift schedule, I typically take one fifteen minute rest break each day I
16 work. My break is usually given about 2.5 hours into my shift.

17 7. Typically, my supervisor or the Customer Service Manager ("CSM") will inform me
18 when it is time to take a break.

19 8. I work on the stock team so sometimes become very involved in my projects. I have
20 previously missed a rest break because I have forgotten to take one. However, this does not happen
21 often.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed at Carlsbad
23 California, this 17 day of June, 2008.

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25 
26 Sergio Silva-Canseco
27
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EXHIBIT 71

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,

20 v.

21 POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

22 Defendants.

Case No. C07-02780 SI

DECLARATION OF ANDREA ROCCA
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

DECLARATION IN SUPPORT OF OPPOSITION TO MOTION FOR CLASS CERTIFICATION

SV 346293921v1 June 10, 2008

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08/18/2008 16:09 FAX

1 I, ANDREA ROCCA declare:

2 1. I am presently a part-time employee in the Polo Ralph Lauren Factory Outlet store,
3 located in Carlsbad, California ("Carlsbad store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I began my employment in the Carlsbad store as a Sales Associate in August 2006. I
6 was subsequently promoted to my present position, cash lead.

7 3. As a cash lead, I have responsibilities at the cash register, including making change,
8 counting the register, performing returns for a customer and opening and closing the cash register.

9 4. I am compensated at an hourly rate of pay.

10 5. My shift is typically scheduled from 9:00 a.m. - 2:00 p.m. three days a week.

11 **Bag Inspection**

12 6. Each day after clocking out and prior to exiting the store, I must go through a bag
13 inspection process which is performed by either a manager or supervisor. In my experience, this
14 process is very quick. I would estimate that from the time I clock out until the time I exit the store
15 following a loss prevention bag inspection, this process typically takes no more than two minutes.

16 7. 2:00 p.m., the time when I usually end my shift, is typically the most busy time of the
17 day in the store. Even leaving at this time, I still have not experienced long wait times associated with
18 the bag inspection.

19 8. I believe I have been compensated by Polo for all time that I have worked in the store.

20 **Rest Breaks**

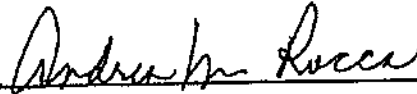
21 9. Based on my shift schedule, I typically take one fifteen minute rest break each day I
22 work.

23 10. Rest breaks are scheduled by store management and are listed on the Daily Planning
24 Agenda. I always get a rest break and have never missed taking a fifteen minute rest break.

25 11. Although my fifteen minute rest break is usually scheduled 2 hours into my shift,
26 break times vary according to coverage. There are times where the store is busy and I may not be able
27 to go on my break at the precise scheduled time. However, I am always excused to go on a fifteen
28 minute rest break at a later time.

12. To my knowledge, no one goes without a break in the Carlsbad store.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Carlsbad
California, this 17th day of June, 2008.


Andrea Rocca

3
DECLARATION IN SUPPORT OF OPPOSITION TO MOTION FOR CLASS CERTIFICATION

SV 346293821v1 June 10, 2008

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06/18/2008 16:10 FAX

EXHIBIT 72

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
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 10 Facsimile: (916) 448-1709
 Email: meierj@gtlaw.com

11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.
 13

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 19 situated,

20 Plaintiffs,

v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.
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Case No. C07-02780 SI

**DECLARATION OF BRANDON
 PIERCE IN SUPPORT OF OPPOSITION
 TO PLAINTIFFS' MOTION FOR
 CLASS CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, BRANDON PIERCE declare:

2 1. I am presently a part-time stock associate in the Polo Ralph Lauren Factory Outlet
3 store, located in Carlsbad, California ("Carlsbad store"). I have personal knowledge of the facts set
4 forth in this declaration, and if called as a witness, could and would competently testify as set forth
5 below.

6 2. I began my employment in the Carlsbad store in December 2007.

7 3. I work approximately 20 hours a week over 5 days.

8 **Bag Inspection**

9 4. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection check which is performed by either a manager or a supervisor. From the time that I have
11 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
12 this process takes 3-4 minutes.

13 5. Typically, at the end of my shift, I will either ask a manager to clock-out or a manager
14 will instruct me to do so. After clocking out, I usually see a manager on the floor and ask him/her to
15 perform my bag inspection check.

16 6. Typically, the Customer Service Manager ("CSM") is the manager who performs bag
17 inspection checks. The role of CSM changes approximately every hour. We are notified via walkie-
18 talkie who is acting as the CSM and therefore can identify easily the CSM.

19 7. I believe Polo has compensated me for all time I've worked in the store, including
20 time for bag inspections.

21 **Time Clock**

22 8. There has never been a time that I have performed work in the Carlsbad store without
23 being clocked in.

24 9. I always clock myself out.

25 10. The time that I clock-in and clock-out adequately reflects the time that I have worked
26 in the Carlsbad store.

27 **Rest Breaks**

1 11. If I work a 5 hour shift, I am given a 15 minute rest break. This usually occurs about
2 2.5 hours into my shift.

3 12. At times I review the Daily Planning Agenda ("DPA") which sets forth my schedule
4 for taking breaks.

5 13. If the stock supervisor is on duty, the supervisor will usually inform me when it is
6 time to take a break. If there is no supervisor on duty, I rely on the DPA as to when I may take a
7 break.

8 14. I have never missed a rest break.

9 I declare under penalty of perjury that the foregoing is true and correct. Executed at Carlsbad
10 California, this 18 day of June, 2008.

11
12 
13 Brandon Pierce

EXHIBIT 73

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
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 1201 K Street, Suite 1100
 9 Sacramento, CA 95814-3938
 Telephone: (916) 442-1111
 Facsimile: (916) 448-1709
 10 Email: meierj@gtlaw.com

11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

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 17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 19 situated,

20 Plaintiffs,

21 v.

22 POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF TOSHIRA ADAMS
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, TOSHIRA ADAMS declare:

2 1. I am presently a part-time employee in the Polo Ralph Lauren Factory Outlet store,
3 located in Carlsbad, California ("Carlsbad store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I began my employment in the Carlsbad store as a sales associate in October 2007.

6 3. I work approximately 20 hours a week over 5 days. I am paid at an hourly rate of pay.

7 **Bag Inspection**

8 4. Each day after clocking out and prior to exiting the store, I must go through a bag
9 inspection procedure which is performed by either a manager or supervisor. From the time that I have
10 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
11 this process takes less than 5 minutes.

12 5. There may be times, for instance on a busy day, when the time to locate a manager to
13 perform the loss prevention search takes longer. On these days, I would estimate that the wait time be
14 no more than 7 minutes. This does not occur often.

15 6. Typically the Customer Service Manager ("CSM") is available on the floor to perform
16 my bag inspection search.

17 **Rest Breaks**

18 7. Based on my shift schedule, I typically take one 15 minute rest break each day I work.

19 8. My rest break time is indicated on the Daily Planning Agenda ("DPA").

20 9. Typically, when it is time for my break, I will ask a manager. Alternatively, a manager
21 may tell me when to go on my break.

22 10. I always take my 15 minute break and have never missed a 15 minute break.

23 11. I believe that I have been compensated for all time worked in the Carlsbad store.

24 I declare under penalty of perjury that the foregoing is true and correct. Executed at Carlsbad
25 California, this 18 day of June, 2008.

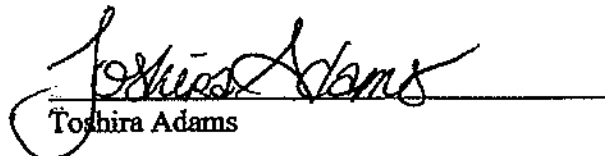
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27 
28 Toshira Adams

EXHIBIT 74

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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2 ALISHA M. LOUIE (SBN 240863)
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18 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
19 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
20 California as Polo Retail Corporation; and Fashions Outlet of
21 America, Inc.

22 **UNITED STATES DISTRICT COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA**

24 ANN OTSUKA, an individual; JANIS KEEFE,
25 an individual; CORINNE PHIPPS, an
26 individual; and on behalf of all others similarly
27 situated,

28 Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF LINDSEY FLORES
IN SUPPORT OF OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, LINDSEY FLORES, declare:

2 1. I am presently a full time sales associate at the Polo Ralph Lauren Factory Outlet
3 Children's store located in Gilroy, California ("Gilroy store"). I have personal knowledge of the facts
4 set forth in this declaration, and if called as a witness, could and would competently testify as set
5 forth below.

6 2. I started working for the Gilroy store in March 2007. I currently work 32-40 hours per
7 week and I am paid at an hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. It takes less than one
11 minute to leave the store after I clock out and have my bag inspected.

12 4. I have not had any problems with locating a manager to perform a bag inspection and
13 have no complaints about the process.

14 **Clocking Out**

15 5. I have never experienced any problems with clocking out at the end of my shift. If I
16 work past the time the store needs to shut down, such as during inventory, a manager will clock me
17 out. The manager writes down my extra time on a note and it is adjusted the next day. I always check
18 my hours on my paycheck to make sure it accurately reflects my time. I am compensated for all the
19 time I spend working in the store.

20 **Rest Breaks**

21 6. The rest break schedule is written on the Daily Planning Agenda. Sometimes the
22 manager tells me when its time to go; sometimes I tell ask manager to leave early for a break.

23 7. Some of the time I initial the Daily Planning Agenda as I'm leaving for my rest break.

24 8. I always take my rest breaks.

25 **Meal Breaks**

26 9. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
27 timing is written down on the Daily Planning Agenda.

28 10. I always take my meal breaks.

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2 I declare under penalty of perjury that the foregoing is true and correct. Executed at Gilroy
3 California, this 17th day of June, 2008.
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EXHIBIT 75

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

ANN OTSUKA, an individual; JANIS KEEFE,
 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF DYLAN
 CLEVINGER IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, DYLAN CLEVINGER, declare:

2 1. I am presently a part time sales associate at the Polo Ralph Lauren Factory Outlet store
3 located in Mammoth Lakes, California ("Mammoth store"). I have personal knowledge of the facts
4 set forth in this declaration, and if called as a witness, could and would competently testify as set
5 forth below.

6 2. I started working for the Mammoth store in May 2005 as a sales associate. I generally
7 work part-time during the school year, and full time during summers. I am paid at an hourly rate of
8 pay.

9 **Bag Inspection**

10 3. Each day after clocking out and prior to exiting the store, I must go through a bag
11 inspection process which is performed by either a manager or supervisor. It takes less than 5-7
12 minutes to leave to store after I clock out and have my bag inspected.

13 4. I have not had any problems with locating a manager to perform a bag inspection and
14 have no complaints about the process.

15 **Clocking Out**

16 5. I have never experienced any problems with clocking out at the end of my shift. I
17 never perform work for Polo off the clock, and I am compensated for all the time I spend working in
18 the store.

19 **Rest Breaks**

20 6. The rest break schedule is written on the Daily Planning Agenda by the opening
21 manager. I understand that Polo schedules me and encourages me to take two rest breaks during my
22 shift. I always take my first rest break of the day but sometimes I choose not to take my second rest
23 break because I just don't feel like I need a second break.

24 **Meal Breaks**

25 7. Meal breaks are written down on the Daily Planning Agenda, and I usually check the
26 Daily Planning Agenda to see what time my meal break is scheduled.

27 8. I have always taken my meal breaks.
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1 **Declaration of Mara Apadoca**

2 9. I have read the declaration of Mara Apadoca. I know Mara and have worked at Polo
3 with her since May 2005 when I started working at the Mammoth store.

4 10. Mara's statement that she only took rest breaks 45% of the time surprises me, and is
5 contrary to my observations as an employee who worked for Polo during part of the same time period
6 as Mara. The previous General Manager, Eric, was very strict about employees taking rest breaks.
7 He would follow up with employees throughout the day to make sure that they had taken a rest break.

8 11. The wait time for a bag inspection that Mara describes is exaggerated in my opinion,
9 and was closer to 7 minutes at the most during that time period.

10 12. I know Mara because I have worked with her for a while now. She has a tendency to
11 exaggerate and blow things out of proportion. In my opinion Mara is a bit of a drama queen.

12 I declare under penalty of perjury that the foregoing is true and correct. Executed at
13 Mammoth Lakes California, this 19 day of June, 2008.

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16 Dylan Clevenger
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